

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Mejia v. Allen

Mejia · No. 1:23-cv-01730-KES-CDB (HC) · Decided August 28, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations and dismissed Geronimo Mejia’s 28 U.S.C. § 2254 habeas petition without prejudice. The dismissal was based on Mejia’s failure to prosecute and failure to comply with the court’s order requiring an amended petition. The court declined to issue a certificate of appealability and directed the clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	August 28, 2025
DOCKET	1:23-cv-01730-KES-CDB (HC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	State prisoner’s pro se petition for a writ of habeas corpus under 28 U.S.C. § 2254 was dismissed without prejudice after petitioner failed to file an amended petition as ordered and failed to prosecute the action. The district court adopted the magistrate judge’s findings and recommendations.
STANDARD OF REVIEW	De novo review under 28 U.S.C. § 636(b)(1) of the magistrate judge’s findings and recommendations.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential
PARTIES	Geronimo Mejia v. Trent Allen

TOPICS

- federal habeas corpus
- post-conviction relief
- appellate procedure
- standard of review

PRACTICE AREAS

- federal habeas corpus
- state post-conviction relief
- appellate procedure

QUESTIONS PRESENTED

1. Whether the § 2254 petition should be dismissed without prejudice because petitioner failed to comply with the court's order to file an amended petition and failed to prosecute the action.
2. Whether a certificate of appealability should issue following the procedural dismissal.

HOLDINGS

1. The petition was properly dismissed without prejudice because petitioner failed to comply with the screening order requiring an amended petition and failed to prosecute the action.
2. A certificate of appealability should not issue because petitioner failed to show that reasonable jurists would find debatable both the correctness of the procedural ruling and whether the petition stated a valid constitutional claim.

KEY QUOTATIONS

"A certificate of appealability is appropriate only where both inquires are satisfied." (at 2)

"The petition for writ of habeas corpus, Doc. 1, is DISMISSED WITHOUT PREJUDICE for failure to prosecute and to obey court orders." (at 2)

FACTUAL BACKGROUND

Mejia, a California state prisoner, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. Following preliminary screening, the court ordered him to file an amended petition to correct identified deficiencies, but he failed to comply by the deadline and made no other filing. Court mail was later returned as undeliverable, and available custody records did not show a current California Department of Corrections and Rehabilitation record for him.

PROCEDURAL HISTORY

Mejia filed a § 2254 habeas petition and proceeded pro se and in forma pauperis. After preliminary screening, the magistrate judge ordered him to file an amended petition addressing identified deficiencies. Mejia failed to comply or make any other filing, and the magistrate judge recommended dismissal without prejudice for failure to obey court orders and failure to prosecute. Mejia filed no objections, and the district court conducted de novo review, adopted the findings and recommendations, dismissed the petition without prejudice, closed the case, and declined to issue a certificate of appealability.

DISPOSITION

dismissed

CASES CITED

- Rosas v. Nielsen, 428 F.3d 1229, 1233 (9th Cir. 2005)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)
- Murray v. Schriro, 745 F.3d 984, 1002 (9th Cir. 2014)

